

S.R. 326 - By Senator Snelson: Memorial resolution for John J. Middagh.

S.R. 327 - By Senator Snelson: Memorial resolution for Walton M. (Walt) Cates.

S.R. 328 - By Senators Harris, Braecklein, Mauzy and Clower: Memorial resolution for E. O. "Doc" Hayes.

**WELCOME AND CONGRATULATORY RESOLUTIONS.**

S.R. 320 - By Senator Adams: Extending congratulations to Miss Ernette Rogers.

S.R. 321 - By Senator McKinnon: Extending welcome to students from W. B. Ray High School.

S.R. 322 - By Senator Ogg: Extending welcome to C. F. Kendall.

S.R. 323 - By Senator McKnight: Extending congratulations to Coach Floyd Wagstaff.

S.R. 329 - By Senator McKinnon: Extending welcome to students from Richard King High School.

S.R. 330 - By Senator Clower: Extending welcome to Jean and Craig Boyd.

S.R. 331 - By Senator Herring: Extending welcome to students from Pecan Springs School.

S.R. 332 - By Senator Herring: Extending welcome to students from Riley Elementary School.

**RECESS**

On motion of Senator Aikin the Senate at 12:15 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

**APPENDIX**

**Sent to Governor**

**March 14, 1973**

**S.C.R. 57**

**THIRTY-SIXTH DAY**

**(Continued)**

**(Thursday, March 15, 1973)**

**After Recess**

The Senate met at 8:30 o'clock a.m., and was called to order by Senator Hightower.

### MESSAGE FROM THE HOUSE

Hall of the House of Representatives  
Austin, Texas, March 15, 1973

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 376, A bill to be entitled An Act providing for recording of master mortgages and deeds of trust in the office of county clerks; providing for incorporation by reference of recorded master mortgages and deeds of trust by subsequent instruments referring to recording information; providing for constructive notice of provisions incorporated by reference; providing for receipt of copy of master form by the grantor; and declaring an emergency.

Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

### LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Hightower in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with the provisions of S.R. 291.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of Constitutional Three Day Rule and final passage indicated after each bill.)

S.B. 122 (Schwartz) (31-0) (31-0)

S.B. 185 (Longoria) (31-0) (31-0)

S.B. 215 (Schwartz) (30-1) Blanchard "Nay" (30-1) Blanchard "Nay"

S.B. 216 (Schwartz) (31-0) (31-0)

S.B. 228 (Jones) (31-0) (31-0)

S.B. 229 (Jones) (31-0) (31-0)

S.B. 242 (Jones) (31-0) (31-0)

S.B. 373 (Herring) (31-0) (31-0)

S.B. 374 (Herring) (31-0) (31-0)

S.B. 375 (Herring) (30-1) Blanchard "Nay" (30-1) Blanchard "Nay"

H.B. 270 (Schwartz) (31-0) (31-0)

The following bill was laid before the Senate, read second time, amended, passed to engrossment, read third time and passed: (Amendment printed following

bill number as well as vote on suspension of Constitutional Three-Day Rule and final passage.)

S.B. 483 (Hightower)--

Senator Hightower offered the following Committee Amendment to the bill:

Amend S.B. 483, Section 3, by deleting the words "property taxpaying" where it appears on Page 2, lines 8 and 25, and Page 3, line 4.

The Committee Amendment was read and was adopted. (30-1) Blanchard "Nay" (30-1) Blanchard "Nay".

#### **CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS CALENDAR**

The Presiding Officer announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

#### **RECESS**

On motion of Senator Aikin the Senate at 8:45 o'clock a.m. took recess until 9:30 o'clock a.m. today.

#### **After Recess**

The President called the Senate to order at 9:30 o'clock a.m. today.

#### **BILLS AND RESOLUTION SIGNED**

The President announced the signing in the presence of the Senate caption had been read, the following enrolled bills and resolution:

S.B. 6  
S.C.R. 58  
H.B. 96  
H.B. 106

#### **REPORTS OF STANDING COMMITTEES**

By unanimous consent, Senator Aikin submitted the following report for the Committee on Finance:

S.B. 526

By unanimous consent, Senator Brooks submitted the following report for the Committee on Human Resources:

H.B. 262

By unanimous consent, Senator Sherman submitted the following report for the Committee on Natural Resources:

C.S.S.B. 268 (Read first time)

By unanimous consent, Senator Moore submitted the following reports for the Committee on State Affairs:

S.B. 392

C.S.S.B. 328 (Read first time)

**MESSAGE FROM THE HOUSE**

Hall of the House of Representatives  
Austin, Texas, March 15, 1973

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 260, A bill to be entitled An Act relating to the conservation, management, protection, propagation, sale, and use of nongame fish and wildlife species; the classification of certain fish and wildlife as endangered species, and the protection, propagation, sale, and use of endangered species and products of endangered species; providing penalties for violations; and declaring an emergency.

S.B. 158, A bill to be entitled An Act exempting the operator of certain motor vehicles from the requirement of obtaining a commercial operators license; amending Section 3, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes); and declaring an emergency.

Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

**HOUSE BILLS AND RESOLUTION ON FIRST READING**

The following bills and resolution received from the House, were read the first time and referred to the Committee indicated:

H.B. 376, To Committee on Jurisprudence  
H.C.R. 70, To Committee on Administration  
H.B. 260, To Committee on Natural Resources

**MESSAGE FROM THE HOUSE**

Hall of the House of Representatives  
Austin, Texas, March 15, 1973

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 142, A bill to be entitled An Act authorizing the Texas Highway Department to issue special permits for the movement of unladen lift equipment motor vehicles exceeding certain weight and length limitations; and declaring an emergency.

H.B. 9, A bill to be entitled An Act relating to bribery with intent to influence votes for Speaker of the House of Representatives; providing penalties for violation; amending Title 5, Penal Code of Texas, 1925, by adding Article 167a; and declaring an emergency.

H.B. 80, A bill to be entitled An Act relating to exemptions from taxation of property owned by disabled veterans and surviving spouses and children of deceased veterans; and declaring an emergency.

H.B. 533, A bill to be entitled An Act updating and correcting the Texas Education Code by codifying various omitted provisions, amending various provisions to correct errors, and expressly repealing various provisions that are replaced by the code; and declaring an emergency.

H.B. 94, A bill to be entitled An Act creating Commerce Water District as a conservation district, under Article 16, Section 59 of the Texas Constitution, comprising the territory contained in the City of Commerce, Hunt County, Texas, as the boundaries of said city existed on the 1st day of January, 1973, for the purpose of providing a source of water supply for municipal, domestic, commercial, and industrial use and diverting, impounding, storing, treating, and transporting the same, and acquiring, constructing, and operating water facilities; providing for a board of directors for the government of said district; providing the means of annexing additional territory to said district; authorizing the district to obtain permits from the Texas Water Rights Commission and from owners of permits; authorizing the district to acquire any interest in land for its purposes by condemnation; providing that any construction contract in excess of \$5,000 should be made only after publication of notice; authorizing the district to issue bonds and providing for the payment and security thereof; providing that said bonds shall be payable either from ad valorem taxes or revenues, or a combination of ad valorem taxes and revenues; authorizing the issuance of refunding bonds; authorizing the execution of trust indentures or deeds of trust to secure bonds payable from revenues or partly from revenues; providing for elections approving the issuance of bonds payable wholly or partly from ad valorem taxes; authorizing the district to enter into contracts with public agencies, political subdivisions, and others, including specifically the City of Commerce and East Texas State University, for any purpose relating to the district's powers and functions, including supplying water to them, and for operation of the district's water facilities; authorizing all public agencies and political subdivisions, including specifically the City of Commerce and East Texas State University, to contract with and convey land or any interest therein to the district; providing for the approval of bonds issued by the district and contracts entered into by the district by the attorney general and registration of bonds by the comptroller of public accounts of the State of Texas; prescribing other powers and duties of the district; providing a severability clause; and declaring an emergency.

H.B. 57, A bill to be entitled An Act relating to the receipt and disposition of pollution complaints by certain state agencies; and declaring an emergency.

H.B. 306, A bill to be entitled An Act relating to the creation of the constitutional office of criminal district attorney for Fort Bend County; abolishing the office of county attorney for Fort Bend County; and declaring an emergency.

Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

#### SENATE BILL 814 ON FIRST READING

Senator Mauzy moved that Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Andujar and Blanchard.

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Mauzy:

S.B. 814, A bill to be entitled An Act relating to the definition of institution of postsecondary education, branch, and center; amending Section 61.003 of the Texas Education Code by adding subsections (14), (15), and (16); and declaring an emergency.

To Committee on Education.

### SENATE BILLS AND RESOLUTIONS ON FIRST READING

By unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Mauzy:

S.B. 815, A bill to be entitled An Act amending Article 21.07-1 of the Insurance Code (Acts 1951, Fifty-second Legislature, Chapter 491, as amended); providing for the payment of commissions to professional corporations whose shareholders are duly licensed as life insurance agents; providing for certification that members of such corporations are primarily life insurance agents; providing penalties for violation of certain provisions; naming the classifications of those license holders who may participate in such a corporation; repealing conflicting laws; and declaring an emergency.

To Committee on Economic Development.

By Senators Creighton, McKnight, Harris, Herring, Schwartz, Blanchard, Andujar, Snelson, Hightower, Mengden and Moore:

S.B. 816, A bill to be entitled An Act relating to payment of royalty under oil, gas, or other mineral leases issued by a Board of Lease, the School Land Board, or the Commissioner of the General Land Office and the disposition of royalty taken in kind; defining terms; and declaring an emergency.

To Committee on Natural Resources.

By Senator Herring:

S.B. 817, A bill to be entitled An Act amending Sections 7, 9 and 24 of Chapter 382, Acts of the 56th Legislature, 1959, as last amended by Chapter 494, Acts of the 62nd Legislature, 1971 (Article 6066d, Vernon's Texas Civil Statutes), providing for incorporation of existing LPG Wholesale and Retail Dealers without relicensing; providing for minimum storage requirements for Retail and Wholesale Dealers; providing for relicensing after business cessation; amending the required insurance coverages; and declaring an emergency.

To Committee on State Affairs.

By Senators Snelson, Mengden, Moore, Creighton, Schwartz, Hightower, Herring, McKnight and Braecklein:

S.B. 818, A bill to be entitled An Act amending Section 66.68, Subchapter D, Texas Education Code, by requiring a provision in oil and gas leases covering university lands that allows the Board for Lease of University Lands at its discretion to take royalty payments in kind; providing for severability; repealing all laws in conflict herewith to the extent of such

conflict only; and declaring an emergency.

To Committee on Natural Resources.

By Senator Wolff:

S.B. 819, A bill to be entitled An Act relating to the registration of voters; making changes in the registration procedures, the period for which registration is effective, and other features of the voter registration system; defining offenses and prescribing penalties; amending the Texas Election Code as follows: amending Subdivisions 1, 2, and 3, Section 43a (Article 5.11a, Vernon's Texas Election Code); Subdivision 2, Section 46a (Article 5.14a); Subdivision 4, Section 47a (Article 5.15a); Subdivision 1, Section 50a (Article 5.18a); Section 50b (Article 5.18b); Subsection (1), Section 51a (Article 5.19a); and Subdivision 1, Section 51b (Article 5.19b); all as amended or added by Chapter 827, Acts of the 62nd Legislature, Regular Session, 1971; adding Section 54d; and repealing Subdivision 5, Section 50a (Article 5.18a); and declaring an emergency.

To Committee on State Affairs.

By Senator Wolff:

S.B. 820, A bill to be entitled An Act relating to the conduct of elections, the qualifications for voting, the registration of voters, and other procedures and matters incidental to the holding of elections in this state; containing penal provisions; amending the following sections of the Texas Election Code, as amended: Section 33 (Article 5.01, Vernon's Texas Election Code), relating to disqualifications for voting; Section 34 (Article 5.02), relating to qualifications and requirements for voting; Subdivisions 2, 3b, 4, 6, and 15, Section 37 (Article 5.05), relating to absentee voting; Section 37b (Article 5.05b), relating to voting by former residents in presidential elections; Subdivisions 1, 2, and 3, Section 37c (Article 5.05c), relating to voting rights and procedures after a change of residence to another county; Section 37d (Article 5.05d), relating to records of voting by persons lacking full voting rights; Section 42a (Article 5.10a), relating to persons entitled to register; Subdivision 3, Section 43a (Article 5.11a), relating to registration periods; Section 45b (Article 5.13b), relating to information required on a voter registration application; Subdivisions 2 and 3, Section 46a (Article 5.14a), relating to the form and content of voter registration certificates; Subdivision 1, Section 47a (Article 5.15a), relating to voter registration records; Subdivision 3, Section 50a (Article 5.18a), relating to voting rights and procedures after a change of residence to another county; Subsection (1), Section 51a (Article 5.19a), relating to lists of registered voters; Section 61b (Article 6.05b), relating to the order of party columns on the ballot; Subdivisions 2 and 2a, Section 63 (Article 6.07), relating to the publication of notices on proposed constitutional amendments; Paragraph (a), Subdivision 9, Section 80 (Article 7.15), relating to absentee voting where an electronic voting system is used; amending Subdivision 11, Section 80, relating to the form of the ballot for electronic voting systems; and Section 15 of Section 79 (Article 7.14), Subdivision 14 of Section 80 (Article 7.15), and Section 95 (Article 8.13), relating to assistance to voters in preparing their ballots; also amending Article 225, Penal Code of Texas, 1925, as amended, relating to assistance to voters; repealing the following sections of the Texas Election Code: Section 37a (Article 5.05a), relating to voting by new residents in presidential elections; and Section 39 (Article 5.07), relating to residence requirements and other qualifications for voting in city elections; and declaring an emergency.

To Committee on State Affairs.

By Senator Creighton:

S.B. 821, A bill to be entitled An Act relating to the amount, collection, and disposition of fees under the Certificate of Title Act; amending Sections 36 and 57, Certificate of Title Act, as amended (Article 1436-1,

Vernon's Texas Penal Code); and declaring an emergency.  
To Committee on State Affairs.

By Senator Schwartz:

S.B. 822, A bill to be entitled An Act validating the incorporation, boundaries, and governmental proceedings of certain cities and towns; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Brooks:

S.B. 823, A bill to be entitled An Act designating Texas Southern University as a special purpose institution of higher education for urban programming; amending Subchapter A, Chapter 106, Texas Education Code, by adding Section 106.02; and declaring an emergency.

To Committee on Education.

By Senator Wolff:

S.C.R. 61, Recommending that the Texas Legislative Council study recodification of the Texas Election Code.

To Committee on State Affairs.

### HOUSE BILL 185 ON THIRD READING

The President laid before the Senate on its third reading and final passage:

H.B. 185, A bill to be entitled An Act to authorize and provide for recognition of fire and police service employee associations and collective bargaining for firefighters and policemen employed by cities, towns, and other political subdivisions of the State; etc.; and declaring an emergency.

The bill was read third time.

Senator Blanchard raised the Point of Order that an amendment was out of order as Subsection (ii) of Section 5(b) of the bill had previously been amended at this stage of the bill.

The President overruled the Point of Order stating that the bill was amended on second reading and that it is possible to amend the same Section on third reading.

Senator Creighton raised the Point of Order that the Senate had recessed; therefore, it is the same legislative day and it would be necessary to suspend the Constitutional Three Day Rule to consider H.B. 185.

### MEMORIAL RESOLUTION

S.R. 337 - By Senator Moore: Memorial resolution for John Cecil Culpepper.

### WELCOME AND CONGRATULATORY RESOLUTIONS

S.C.R. 62 - By Senator Moore: Extending congratulations to Major John C. Blevins.

S.C.R. 63 - By Senator Moore: Extending congratulations to Major Alton B. Meyer.

S.C.R. 64 - By Senator Moore: Extending congratulations to Major



Robert Norlan Daughtrey.

S.R. 333 - By Senator Adams: Extending congratulations to City of Buna on their Redbud Festival.

S.R. 334 - By Senator Meier: Extending congratulations to Mayor and City Council of Fort Worth.

S.R. 335 - By Senators Harris, Moore and Herring: Extending congratulations to Miss Cindy White.

S.R. 336 - By Senators Harris and Braecklein: Extending welcome to students from Hillcrest High School.

### ADJOURNMENT

Senator Moore moved the Senate stand adjourned until 10:50 o'clock a.m. today.

Senator Creighton made the substitute motion that the Senate stand adjourned until 11:00 o'clock a.m. Monday.

Question on the motion to adjourn until 11:00 o'clock a.m. Monday, "Yeas" and "Nays" were demanded.

The motion was lost by the following vote: Yeas 10, Nays 21,

Yeas: Andujar, Blanchard, Creighton, Harris, McKinnon, McKnight, Mengden, Patman, Snelson and Traeger.

Nays: Adams, Aikin, Braecklein, Brooks, Clower, Gammage, Harrington, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, Meier, Moore, Ogg, Santiesteban, Schwartz, Sherman, Wallace and Wolff.

Question recurring on the motion to adjourn until 10:50 o'clock a.m. today, the motion prevailed.

Accordingly the Senate at 10:43 o'clock a.m. adjourned until 10:50 o'clock a.m. today.

### APPENDIX

Sent to Governor

March 15, 1973

S.B. 6  
S.C.R. 58

### THIRTY-SEVENTH DAY (Thursday, March 15, 1973)

The Senate met at 10:50 o'clock a.m., pursuant to adjournment, and was